UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
3693	

NOTIFICATION DATE	DELIVERY MODE
02/22/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

officeactions@CENTRALCOASTPATENT.COM
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 October 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *32,33 and 35-41* is/are pending in the application.

      4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *32, 33, and 35-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

      a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   The following communication is in response to Applicant's amendment filed 22 October

2009.

Status of Claims

2.   Claims 32 is currently amended. Claims 1-31 and 34 are cancelled. Therefore claims 32,

33, and 35-41 are currently pending.

Response to Arguments

3.   Applicant's arguments filed 22 October 2009 have been fully considered but are not

persuasive.

4.   Regarding claims 32 and 37, Applicant argues that the information in O'Leary is not

scraped and aggregated by O'Leary's PPP, but directly provided, accessed and saved by the user.

The Examiner respectfully disagrees. First, in response to applicant's argument that the

references fail to show certain features of applicant's invention, it is noted that the features upon

which applicant relies (i.e., scraping) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are not read

into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Independent claim 37 does not recite any scraping. Therefore, this argument is not persuasive

for claim 37.

Regarding claim 32, there is no active part of the system that performs any scraping. Instead, claim 32 recites a first enterprise hosting integrated transaction services provided for scraping and aggregating personal information specific to an end user, and providing PI and transaction services to an end user." There is no system component that is configured to perform or performs any scraping. Instead, the claim has a first enterprise hosting integrated services "for scraping and aggregating personal information." Even still, as noted in the rejection the PPP enhanced wallet does pull information (column 9, lines 49 thru column 10, line 35; Examiner). Further, such "screen scraping" functionality is old and well known as noted in Applicant's own Background of the Invention and background information on scraping technology.

For these reasons, Applicant's arguments regarding claims 32 and 37 with respect to scraping are not persuasive.

5.   Applicant argues that the prior art fails to teach a plurality of second enterprises maintaining each at least one financial account specific to an end user. The Examiner respectfully disagrees. O'Leary teaches banks that act as the second enterprise (column 10, lines 59 thru column 11, line 3). Further, O'Leary teaches that there can be a plurality of banks by noting the accounts held at the bank as well as account or other DDA accounts and credit cards accounts held at another financial institution (column 11, lines 53 thru column 12, line 8).

Therefore, this argument is not persuasive.

6.   Applicant argues that the prior art fails to teach that the user instructs the first enterprise to pay a bill using funds from an associated financial account by dragging the indication of the financial account to the indication of the bill or by dragging the indication of the bill to the indication of the financial account. The Examiner respectfully disagrees.

O'Leary teaches that an interactive software graphical user interface provided by the first enterprise and executable on an end user's appliance and instructing the first enterprise to pay a bill (column 15, line 66 thru column 16, line 35 and column 25, lines 24-41 and column 26, lines 22-59). O'Leary fails to teach the dragging the indication of the account to the indication of the bill or vice-versa.

Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of O'Leary to include the drag and drop teachings of Dent since both O'Leary and Dent teach account management specifically with billing and it specifies a method for an active interaction method of bill payment that keeps the customer informed of their billing information.

O'Leary and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working

At Home further teaches that buttons can be created for a plurality of accounts including bank

accounts and credit card accounts, such as checking, savings, credit card and money market

accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing

basic finance tasks, liking scheduling payments and allow for bill payment by using a bill

payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been

obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the

teachings of O'Leary in view of Dent to include the teachings of Working At Home because it

allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since

only one account is required in the claim, it would be obvious to one of ordinary skill in the art

that dragging the account to the bill, or the bill to the account are obvious modifications since

they accomplish the same instructions for payment.

     For these reasons, this argument is not persuasive.

7.   For these reasons, independent claims 32 and 37 remain rejected over the prior art and

Applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   Claims 32, 33, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over

O'Leary et al. (hereinafter O'Leary) U.S. Patent 6,609,113 in view of Dent et al. (hereinafter

Dent) U.S. Patent 6,128,603 in further view of Making the Smart Investment In Personal Finance

Software, Working At Home (hereinafter Working At Home).

        Regarding claims 32 and 37, O'Leary teaches a billing system for a network, comprising:

        a first enterprise hosing integrated transaction services provided for scraping and

aggregating personal information (PI) specific to an end user, and providing PI and transaction

services to the end user (column 9, line 9 thru column 10, line 13);

        a plurality of second enterprises maintaining at least one financial account specific to the

end user in which the end user ha a monetary balance, each of the second enterprises providing

account information to the first enterprise (column 10, line 59 thru column 11, line 27 and

column 11, line 62 thru column 12, line 7);

        a plurality of third enterprises maintaining a billing account specific to the end user, each

of the third enterprises providing billing information to the first enterprise (column 23, lines 63

thru column 24, line 49).

        O'Leary teaches that an interactive software graphical user interface provided by the first

enterprise and executable on an end user's appliance (column 9, lines 9-30 and column 26, lines

22-59). O'Leary fails to teach at least one indication representing the user's financial account,

and at least one indication representing at least one bill associated with a billing account on

which a balance is owed and instructing the first enterprise to pay the bill using funds from the

financial account by dragging the indication of the account to the indication of the bill.

Dent teaches a consumer based system and method for managing and paying electronic

billing statements in which there exists at least one indication representing a user's financial

account (column 3, lines 38-44) and at least one indication representing at least one bill

associated with a billing account for which a monetary balance is owed by the user (column 7,

line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the

indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It

would have been obvious to one of ordinary skill in the art at the time of the Applicant's

invention to modify the teachings of O'Leary to include the drag and drop teachings of Dent

since both O'Leary and Dent teach account management specifically with billing and it specifies

a method for an active interaction method of bill payment that keeps the customer informed of

their billing information.

O'Leary and Dent fail to teach dragging the account to the bill. Working At Home

teaches personal finance software that helps to manage finances by keeping track of bank

accounts, credit card accounts, expenses, taxes and income (page 2, top). One software

discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to

drag their checking account button and drop it on the electric company button to pay the electric

bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working

At Home further teaches that buttons can be created for a plurality of accounts including bank

accounts and credit card accounts, such as checking, savings, credit card and money market

accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing

basic finance tasks, liking scheduling payments and allow for bill payment by using a bill

payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been

obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of O'Leary in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

Claims 33 and 38, O'Leary teaches that the network is the Internet network (column 9, lines 9-30).

Claim 39, Dent teaches at least two or more indications representing bills due (column 7, lines 56 thru column 8, line 2 and Figure 5). Dent also teaches the use of a checking account in the bill payment and also allows for the cashflow analyzer to recommend at certain times, payment to other accounts such as credit cards (column 10, lines 1-14). This recommendation is an indication of a second account. Work At Home teaches that the buttons represent multiple accounts including bank and credit card accounts (page 7, middle). Work At Home teaches dragging one of the account buttons to the bill desired to pay (page 7, middle). Dent and Work At Home teach instructing bill payment with drag and drop software and both teach the ability to use bank accounts. While Dent teaches recommending using a credit card, Dent fails to actually teach implementing the credit card as drag and drop whereas Work At Home allows for a finance button such as bank account or credit card account to be dragged and drop for payment of a bill. Therefore, the bank account or credit card account button can be dragged for payment. There is

sufficient motivation to combine the teachings of O'Leary with Dent and Work At Home

because they provide an efficient manner for paying bills.

Claims 35 and 40, wherein the billing information is provided to the service by the third

enterprise maintaining a billing account specific to the end user (column 23, lines 63 thru column

24, line 49).

Claims 36 and 41, wherein the billing information is provided to the user and the user

enters the billing information to the service utilizing the software (column 23, lines 63 thru

column 24, line 49 and column 25, lines 24-41).

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to STEFANOS KARMIS whose telephone number is (571)272-

6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
/Stefanos Karmis/
Primary Examiner, Art Unit 3693
20 February 2010